

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:05CV267

ALEXANDER McCORMACK, and)	
wife, JEAN McCORMACK,)	
)	
Plaintiffs,)	
)	
Vs.)	ORDER DISMISSING
)	CLAIMS AGAINST
A. W. CHESTERTON, INC., <i>et al.</i> ,)	ALLIS-CHALMERS CORP.
)	
Defendants.)	
)	

THIS MATTER is before the Court on the Plaintiffs' motion to dismiss their claims against Allis-Chalmers Corporation Product Liability Trust without prejudice. The Defendant Trust has consented to the dismissal.

For the reasons stated in the motion,

IT IS, THEREFORE, ORDERED that the Plaintiffs' motion is **ALLOWED**, and Plaintiffs' claims made against this Defendant Trust are hereby **DISMISSED WITHOUT PREJUDICE**.

Signed: June 13, 2006



Lacy H. Thornburg
United States District Judge

